

Falcon Refinery
Ingleside, Texas
January 22, 2001

Falcon Refinery occupies approximately 104 acres in San Patricio County, Texas, and is located 1.7 miles southeast of State Highway 361 on FM 2725 at the northwest and southeast corners of FM 2725 and Bishop Road. Another portion of the site includes a dock facility on Redfish Bay where materials were transferred between barges and storage tanks. The site is bordered by wetlands to the northeast and southeast, residential areas to the north and southwest, an abandoned refinery to the northwest, and a construction company to the southwest.

1. *What are the risks at the site that are driving the listing to the NPL?*

The site is being proposed to the NPL based on releases of fluoranthene, pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, benzo(g,h,i) perylene, dibenz(a,h)anthracene, barium, manganese, and mercury into the nearby wetlands, the Redfish Bay fishery, and potential habitat areas for State and Federal threatened or endangered species.

2. *What are the pressures to list the site? State? Congress? Community?*

The site was referred to EPA from the TNRCC. The TNRCC and the Texas Attorney General's Office have actively sought to address this site under Texas Programs without success. TNRCC is seeking federal listing of this site prior to further state superfund actions. Failure to propose this site to the NPL may adversely affect this relationship with the State of Texas and will likely negatively impact our ability to receive Governors letter in the future.

3. *What is the current use of the property? Lightly or heavily populated?*

The site is currently inactive. The facility is located in industrial and residential area of Ingleside, Texas.

4. *Please provide description/dates of remediation activities taken at the site. For each activity, please caveat if they were taken before or after HRS scoring.*

No remediation activities have been undertaken at this site.

5. *What future remediation activities are needed? Why is NPL listing important for planned*

remedial activities?

Since an RI/FS has not been started, it is premature to state what the remedial action will be. However, at other NPL Sites with similar contamination future remedial activities would likely include:

- Future remedial activities would likely include, source control and removal.
- Containment - possibly subsurface barrier and cap, including monitoring.
- Dredging - solidification/stabilization of sediments and onsite/offsite disposal.
- Dredging - incineration of sediments and offsite disposal.

The site would not be addressed without the use of CERCLA authority and this facility would continue to release hazardous constituents into nearby surface water posing a threat to sensitive environments, fisheries and wetlands.

6. What is the best argument for why should the site be listed on the NPL?

The TNRCC was unsuccessful in compelling the PRPs to clean up the site. On-site sources and contaminants underlying the facility will continue to impact both surface water. The site would not be addressed without the use of CERCLA authority and this facility would continue to release hazardous constituents into nearby surface water posing a threat to sensitive environments, fisheries, and wetlands. Proposing this site to the NPL allows EPA to address both human health and environmental concerns resulting from the continual release of hazardous substances from this site and to utilize the enforcement framework of CERCLA to compel the PRPs to shoulder the responsibility for this site.

7. Why does the State want the site to be listed?

The Texas Natural Resources Conservation Commission (TNRCC) and the Texas Attorney General's Office have actively sought to address this site under Texas Programs. The TNRCC believes that this site is eligible for proposal to the National Priorities List (NPL) based on U.S. Environmental Protection Agency (EPA) and TNRCC superfund evaluations under the Hazard Ranking System. Therefore, in accordance with state statutes, the TNRCC is seeking federal listing of this site prior to further state superfund actions.

8. What are the funding issues at the site? Are there viable PRPs for the site?

A preliminary PRP search performed by EPA Region 6 indicates that there are likely viable PRPs at this site. EPA Region 6 embraces an enforcement first policy and will exhaust enforcement alternatives prior to expending Fund monies.

9. Are planned response actions expected to be Fund or PRP lead? If Fund-lead, does Region

have funds available to proceed with planned response activities (RI/FS, EE/CA or removal)?

The planned response actions are expected to be PRP lead.